

AMENDED IN SENATE AUGUST 7, 2000

AMENDED IN SENATE JUNE 14, 2000

AMENDED IN ASSEMBLY MAY 2, 2000

AMENDED IN ASSEMBLY APRIL 5, 2000

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

## ASSEMBLY BILL

**No. 2573**

### Introduced by Assembly Member Briggs

February 25, 2000

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An act to amend Section 25250.4 of the Health and Safety Code, relating to hazardous waste.

#### LEGISLATIVE COUNSEL'S DIGEST

AB 2573, as amended, Briggs. Used oil.

**Existing**

(1) *Existing* law requires used oil to be managed as a hazardous waste until it has been shown to meet specified purity standards or is excluded from regulation as a hazardous waste because it is a recyclable material.

This bill would exclude, from that hazardous waste management requirement, dielectric fluid removed from specified oil-filled electrical equipment, if the dielectric fluid is managed in a specified manner and in accordance with the applicable requirements of the federal regulations governing used oil.

(2) *This bill would incorporate additional changes in Section 25250.4 of the Health and Safety Code proposed by SB*

1924, to be operative only if that bill and this bill are enacted and become effective on or before January 1, 2001, and this bill is enacted last.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 25250.4 of the Health and Safety  
2 Code is amended to read:

3 25250.4. (a) Used oil shall be managed as a hazardous  
4 waste in accordance with the requirements of this  
5 chapter until it has been shown to meet the requirements  
6 of subdivision (b) of Section 25250.1 or is excluded from  
7 regulation as a hazardous waste pursuant to Section  
8 25143.2.

9 (b) This section does not apply to dielectric fluid  
10 removed from oil-filled electrical equipment that is  
11 filtered and replaced, onsite, at a restricted access  
12 electrical equipment area, or that is removed and filtered  
13 at a maintenance facility for reuse in electrical  
14 equipment and is managed in accordance with the  
15 applicable requirements of Part 279 (commencing with  
16 Section 279.1) of Subchapter I of Chapter 1 of Title 40 of  
17 the Code of Federal Regulations.

18 (c) For the purposes of this section:

19 (1) "Oil-filled electrical equipment" includes, but is  
20 not limited to, transformers, circuit breakers, and  
21 capacitors.

22 (2) "Restricted access electrical equipment area"  
23 means a fenced-off or walled-off restricted access area  
24 that is covered by a ~~facility-response~~ *spill prevention*  
25 *control and countermeasure* plan prepared in  
26 accordance with Part ~~112.20-112~~ of Title 40 of the Code of  
27 Federal Regulations and that is used in the transmission  
28 or distribution of electrical power, or both.

29 (d) For the purposes of subdivision (b), "filtered"  
30 means the use of filters assisted by the application of heat  
31 and suction to remove impurities, including, but not  
32 limited to, water, particulates, and trace amounts of

dissolved gases, by equipment, mounted upon or above an impervious surface.

(e) Nothing in this section affects the authority of the department or a certified unified program agency in the event of a spill.

SEC. 1.5. Section 25250.4 of the Health and Safety Code is amended to read:

25250.4. (a) Used oil shall be managed as a hazardous waste in accordance with the requirements of this chapter ~~until it has been shown to meet the requirements of subdivision (b) of Section 25250.1 or is excluded from regulation as a hazardous waste pursuant to Section 25143.2,~~ unless one of the following applies:

(1) The used oil is excluded from regulation as hazardous waste pursuant to Section 25143.2, and is not subject to regulation as hazardous waste under the federal act.

(2) The used oil has been shown by the generator to meet the requirements of paragraph (1) of subdivision (b) of Section 25250.1 or the used oil is recycled oil and meets the requirements of paragraph (2) of subdivision (b) of Section 25250.1.

(b) This section does not apply to dielectric fluid removed from oil-filled electrical equipment that is filtered and replaced, onsite, at a restricted access electrical equipment area, or that is removed and filtered at a maintenance facility for reuse in electrical equipment and is managed in accordance with the applicable requirements of Part 279 (commencing with Section 279.1) of Subchapter I of Chapter 1 of Title 40 of the Code of Federal Regulations.

(c) For the purposes of this section:

(1) "Oil-filled electrical equipment" includes, but is not limited to, transformers, circuit breakers, and capacitors.

(2) "Restricted access electrical equipment area" means a fenced-off or walled-off restricted access area that is covered by a spill prevention control and countermeasure plan prepared in accordance with Part 112 of Title 40 of the Code of Federal Regulations and that

1 is used in the transmission or distribution of electrical  
2 power, or both.

3 (d) For the purposes of subdivision (b), “filtered”  
4 means the use of filters assisted by the application of heat  
5 and suction to remove impurities, including, but not  
6 limited to, water, particulates, and trace amounts of  
7 dissolved gases, by equipment mounted upon or above an  
8 impervious surface.

9 (e) Nothing in this section affects the authority of the  
10 department or a certified unified program agency in the  
11 event of a spill.

12 SEC. 2. Section 1.5 of this bill incorporates  
13 amendments to Section 25250.4 of the Health and Safety  
14 Code proposed by both this bill and SB 1924. It shall only  
15 become operative if (1) both bills are enacted and  
16 become effective on or before January 1, 2001, (2) each  
17 bill amends Section 25250.4 of the Health and Safety  
18 Code, and (3) this bill is enacted after SB 1924, in which  
19 case Section 1 of this bill shall not become operative.

